

**CHAPTER 15: SUBDIVISION REGULATIONS**

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## ARTICLE 15-1: GENERAL PROVISIONS

## Section

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### § 15-1-1 PURPOSE AND INTENT.

(A) The purpose of this chapter is to provide for the orderly growth and harmonious development of the City of Goodyear; to insure adequate traffic circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions and public facilities; to achieve individual property lots of reasonable utility and livability; to secure adequate provisions for water supply, drainage, sanitary sewerage and other health requirements; to insure consideration for adequate sites for schools, recreation areas and other public facilities; to promote the conveyance of land by accurate legal description; and to provide logical procedures for the achievement of this purpose.

(B) In its interpretation and application, the provisions of this chapter are intended to provide a common ground of understanding and equitable working relationship between public and private interests to the end that both independent and mutual objectives can be achieved in the subdivision of

land.

(Prior Code, § 15-1-1)

## **§ 15-1-2 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**ALLEY.** A public or private way not more than 25 feet wide, which affords only secondary vehicular access to adjacent properties otherwise abutting upon a street.

**APPROVED LENDING INSTITUTION.** Any title insurance company, title insurance agent, bank, savings and loan association or mortgage lending company currently approved by the Federal Housing Administration to act as a mortgagee qualified to transact business in the State of Arizona and having a business office within the valley area and any other lending institution approved by the City Attorney.

**BLOCK.** A piece or parcel of land or a group of lots entirely surrounded by public streets, streams, railroads or parks or a combination thereof.

**BOARD.** The Planning and Zoning Commission of the City of Goodyear.

**CLASSIFICATION PLAN, STREET.** A plan which provides for the development of a system of major streets and highways, including the location, width and alignment of existing and proposed thoroughfares.

**CONDITIONAL APPROVAL.** An affirmative action by the Board or the Council indicating that approval will be forthcoming upon satisfaction of certain specified stipulations.

**CONDOMINIUM.** The improvement of land with one or more separate buildings with one or more floors in accordance with city standards, in which an undivided interest in common, in all or a portion of the land, is coupled with the right of exclusive occupancy of any unit of airspace thereon. A **CONDOMINIUM** may include an undivided interest in common in a portion of the building or buildings; a separate interest in a building or portion of a building with a separate interest in a portion of the land, together with an undivided interest in common in a portion of the land.

**DEPARTMENT.** The City Manager and appointed department supervisors.

**DEVELOPMENT.** The utilization of land for public or private purposes.

**DEVELOPMENT MASTER PLAN (DMP).** A preliminary master plan for the development of a large or complicated land area, the platting of which is expected in progressive stages. A **DEVELOPMENT MASTER PLAN** may be designed by the subdivider or by the Department and shall be subject to Board and Council approval.

**EASEMENT.** A grant by the owner of the use of land by the public, a corporation or persons for specific uses and purposes and so designated.

**ENGINEERING PLANS.** Plans, profiles, cross sections and other required details for the construction of public improvements, prepared by a registered civil engineer in accordance with the

approved Preliminary Plat and in compliance with standards of design and construction approved by the Council.

**EXCEPTION.** Any parcel of land which is within the boundaries of the subdivision which is not owned by the subdivider, to be designated on the Final Plat as not a part of this subdivision.

**FINAL APPROVAL.** Unconditional approval of the Final Plat by the Council as evidenced by certification on the plat by the City Engineer and signed by the Mayor and attested by the Clerk which constitutes authorization to record a plat when engineering plans have been approved and an assurance bond has been posted to guarantee the installation of the improvements.

**GENERAL PLAN.** A comprehensive plan, or parts thereof, providing for the future growth and improvement of the city and for the general location and coordination of streets and highways, schools and recreation areas, public building sites and other physical development. (Sometimes referred to as the **MASTER PLAN**.)

**GEOGRAPHIC INFORMATION SYSTEM (GIS).** A data base system incorporating spatial (map) data and tabular data.

**IMPROVEMENT STANDARDS.** A set of regulations setting forth the details, specifications and instructions to be followed in the planning, design and construction of certain required improvements to property formulated by the City Engineer, concerned state and county departments and other city departments.

**IMPROVEMENTS.** Required installations, pursuant to these regulations, including, but not limited to: grading, sewer and water utilities, streets, alleys, underground street light circuits and traffic-control devices; as a condition to the approval and acceptance of the Final Plat, precedent to recordation of an approved Final Plat.

**IRRIGATION FACILITIES.** Canals, laterals, ditches, conduits, gates, pumps and allied equipment necessary for the supply, delivery and drainage of irrigation water and the construction, operation and maintenance of such.

**LAND MANAGEMENT SYSTEM (LMS).** The primary tabular data base system used by the city. The LMS interfaces with the city's GIS for spatial data support.

**LAND MANAGEMENT SYSTEM ELEMENT.** A spatial entity that is included in the LMSX data base, including related tabular data. Examples include, but are not limited to, parcels, tracts, easements, rights-of-way or street segments.

**LAND SPLIT.** The division of improved or unimproved land whose area is two and one-half acres or less into two or three tracts or parcels of land or lots for the purpose of sale, lease or financing. See **MINOR LAND DIVISION** definition.

**LOT.** A parcel of land within a single block, which by reason of ownership, recording or use, is separate and distinct from other such parcels and which has frontage on a public street or an approved private access way.

(1) **CORNER LOT.** A lot at the junction of two or more intersecting streets where the interior angle of intersection does not exceed 135 degrees. A lot abutting a curved street shall be deemed a

corner lot if the tangents to the curve at the points of intersection of the side lines with street lines intersect at an interior angle of less than 135 degrees. A corner lot shall be considered to be in that block in which the lot fronts.

(2) **CORNER LOT, REVERSED.** A corner lot, the side line of which is substantially a continuation of the front property line of the first lot to its rear.

(3) **INTERIOR LOT.** A lot having but one side abutting on a street.

(4) **KEY LOT.** An interior lot, one side of which is contiguous to the rear line of a corner lot.

(5) **THROUGH LOT.** A lot abutting two parallel or approximately parallel streets.

**LOT AREA.** The area, in square feet, lying within the lines of the lot, not including any part of any abutting public or private street or alley, and not including any part of certain easements on lots with less than 24,000 square feet of area.

#### **LOT DEPTH.**

(1) If the front and rear lines are parallel, the shortest distance between such lines.

(2) If the front and rear lines are not parallel, the distance between the midpoint of the front lot line and the midpoint of the rear lot line.

(3) If the lot is triangular, the shortest distance between the front lot line and a line parallel to the front lot line, not less than ten feet long, lying wholly within the lot.

#### **LOT LINE.**

(1) **FRONT.** The front property line of a lot as follows:

(a) **CORNER LOT.** The front property line of a corner lot shall be the shorter of the two lines adjacent to the streets as platted, subdivided or laid out. Where the lines are equal, the front line shall be that line which is obviously the front by reason of the prevailing custom of the other buildings in the block. If such front is not evident, then either may be considered the front of the lot, but not both;

(b) **INTERIOR LOT.** The front property line of an interior lot shall be the line bounding the street frontage;

(c) **THROUGH LOT.** The front property line of a through lot shall be that line which is obviously the front by reason of the prevailing custom of the other buildings in the block. Where such front property line is not obviously evident, the Zoning Administrator shall determine the front property line. Such a lot over 200 feet deep shall be considered, for the purposes of this chapter, as two lots each with its own frontage.

(2) **REAR.** The rear property line of a lot that is opposite to the front property line. Where the side property lines of a lot meet in a point, the rear property line shall be assumed to be a line not less than ten feet long, lying within the lot and parallel to the front property line. In the event that the front property line is a curved line, then the rear property line shall be assumed to be a line not less than ten feet long, lying within the lot and parallel to a line tangent to the front property line at its midpoint.

(3) **SIDE.** The side property lines of a lot which connect the front and rear property lines of a lot.

**LOT SPLIT.** See **MINOR LAND DIVISION** definition.

**LOT WIDTH.** The width of a lot measured as follows:

- (1) If the side property lines are parallel, the shortest distance between these side lines;
- (2) If the side property lines are not parallel, the length of a line at right angles to the axis of the lot at a distance equal to the front setback required for the zoning district in which the lot is located. The axis of a lot shall be a line joining the midpoints of the front and rear property lines.

**MAP OF DEDICATION.** A map used to separate land being dedicated to a public entity.

**MINOR LAND DIVISION.** Any division of improved or unimproved land or lands for the purpose of financing, sale or lease, whether immediate or future, for which a subdivision plat is not required. A land split, lot split, lot line adjustment, and a map of dedication shall be considered **MINOR LAND DIVISIONS**.

**NEIGHBORHOOD PLAN.** A plan designed to guide the platting of remaining vacant parcels in a partially built-up neighborhood so as to make reasonable use of all land, correlate street patterns, provide adequate drainage and achieve the best possible land use relationships.

**OPEN SPACE LANDS** or **OPEN AREA.** Any space of area characterized by great natural scenic beauty or whose existing openness, natural condition or present state of use, if retained, would maintain or enhance the conservation of natural or scenic resources or the production of food and fiber.

**OWNER.** The person or persons holding title by deed to land or holding title as vendees under land contract or holding any other title of record.

**PEDESTRIAN WAY.** A public walk dedicated entirely through a block from street to street or providing access to a school, park, recreation area or shopping center.

**PLAT.** A map which provides for changes in land use or ownership.

(1) Subdivision:

(a) **PRE-PRELIMINARY** or **CONCEPTUAL** means a design submitted for review and comments at a presubmittal conference, not to be considered a Preliminary Plat submittal. Design to show: public streets or private access ways; methods of handling drainage; locations of buildings for condominium developments;

(b) **PRELIMINARY** means a tentative map, including supporting data, indicating a proposed subdivision design, prepared by a registered civil engineer, a registered land surveyor, a landscape architect or architect in accordance with this chapter and the statutes of the State of Arizona. A preliminary site plan for a condominium development shall be considered a Preliminary Plat;

(c) **PRE-FINAL** means a map in final form, but not yet executed, submitted for review and comments prior to submitting an executed Final Plat;

(d) **FINAL** means a map of all or part of a subdivision essentially conforming to an approved Preliminary Plat, prepared by a registered civil engineer or a registered land surveyor in accordance with this chapter and the statutes of the State of Arizona;

(e) **RECORDED** means a Final Plat bearing all of the certificates of approval required by this chapter and the statutes of the State of Arizona and duly recorded in the Maricopa County Recorder's office.

(2) **REVERSIONARY** means:

(a) A map for the purpose of reverting to acreage of land previously subdivided;

(b) A map for the purpose of vacating right-of-way previously dedicated to the public and abandoned under the procedures prescribed by the city code;

(c) A map for the purpose of vacating or redescribing lot or parcel boundaries previously recorded.

**PRELIMINARY APPROVAL.** Affirmative action on a Preliminary Plat, noted upon prints of the plat, indicating that approval of a Final Plat will be forthcoming upon satisfaction of specified stipulations, which constitutes authorization to proceed with final engineering plans and Final Plat preparation.

**PRIVATE ACCESS WAY.** Any private street or private way of access to one or more lots or airspaces which is owned and maintained by an individual or group of individuals and has been improved in accordance with city standards and plans approved by the City Engineer. A **PRIVATE ACCESS WAY** is intended to apply where its use is logically consistent with a desire for neighborhood identification and control of access and where special design concepts may be involved, such as within planned area developments, mobile home developments, sub-lot developments, hillside areas and condominiums.

**RIGHTS-OF-WAY.** Any public or private access way required for ingress or egress and includes any area required for public use pursuant to any general or specific plan as provided for in this chapter; **RIGHTS-OF-WAY** may consist of fee title dedications or easements.

**SECRETARY OF THE BOARD.** The Planning and Zoning Chairperson or his or her designated representative.

**STREET.** Any existing or proposed street, avenue, boulevard, road, lane, parkway, place, viaduct, easement for access or other way which is an existing state, county or municipal roadway; a street or way shown in a plat heretofore approved pursuant to law or approved by official action; or a street or way in a plat duly filed and recorded in the County Recorder's office. A **STREET** includes the land between the right-of-way lines, whether improved or unimproved, and may comprise pavement, shoulders, curbs, gutters, sidewalks, parking areas, bridges, viaducts and lawns.

(1) **FREEWAY-EXPRESSWAY.** A street providing for the expeditious movement of large volumes of through traffic between areas or across, around or through the city or urban area or a divided arterial highway with full control of access and not intended to provide direct access to abutting land. In urban areas both will normally be a portion of a system or network of freeways.

(2) **MAJOR STREET** or **HIGHWAY**. A street providing for traffic movement between areas and across portions of the city, direct service to principal generators and connections to the freeway-expressway system and secondarily for direct access to abutting land. They are subject to necessary regulation and control of parking, directional controls, turning movements, entrances, exists and curb use often divided arterial roadways and may have some control of access. The individual major streets combine to make a system for city-wide traffic movement.

(3) **COLLECTOR**. A street providing direct service to residential areas from major streets and highways, for traffic movement within neighborhoods of the city and for direct access to abutting property. It collects local traffic from the neighborhoods and delivers the same to the nearest major street or highway.

(4) **FRONTAGE ROAD**. A collector street located within a freeway or expressway right-of-way and parallel to the freeway or expressway traffic lanes.

(5) **LOCAL**. A street providing for direct access to residential, commercial, industrial or other abutting land for local traffic movements and connecting to collector or major streets.

(6) **MARGINAL ACCESS ROAD**. A local street, located within the major street or highway right-of-way, parallel and adjacent to major traffic lanes, providing direct access to abutting property, intercepting local streets and controlling access to major streets.

(7) **CUL-DE-SAC**. A short local street having one end permanently terminated in a vehicular turnaround or an equally convenient form of turning and backing areas as may be recommended by the City Engineer.

(8) **PARKWAY**. Any of the street types which are intensively landscaped to provide attractive or scenic appearance or are located in a park or park-like area. The use of the facility may be restricted to non-commercial traffic.

**SUBDIVIDER**. The individual, firm, corporation, partnership, association, syndication, trust or other legal entity that files the application and initiates proceedings for the subdivision of land in accordance with the provisions of this chapter and statutes of the State of Arizona, except that an individual serving as agent for such legal entity is not a subdivider, and the subdivider need not be the owner of the property as defined by this chapter. The Council may itself prepare or have prepared a plat for the subdivision of land under municipal ownership.

**SUBDIVISION**. Improved or unimproved land or lands divided for the purpose of financing, sale or lease, whether immediate or future, into four or more lots, tracts or parcels of land, or, if a new street is involved, any such property which is divided into two or more lots, tracts or parcels of land, or, any such property, the boundaries of which have been fixed by a recorded plat, which is divided into more than two parts. **SUBDIVISION** also includes any condominium, cooperative, community apartment, townhouse or similar project containing four or more parcels in which an undivided interest in the land is coupled with the right of exclusive occupancy of any unit located thereon, but plats of such projects need not show the buildings or the manner in which the buildings or airspace above the property shown on the plat are to be divided. Subdivision does not include the following:

(1) The sale or exchange of parcels of land to or between adjoining property owners if such sale or exchange does not create additional lots;

(2) The partitioning of land in accordance with other statutes regulating the partitioning of land held in common ownership;

(3) The leasing of apartments, offices, stores or similar space within a building or trailer park, nor to mineral, oil or gas leases;

(4) Land splits;

(5) Minor land divisions.

**SUBDIVISION DESIGN.** Street alignment, grades and widths, alignment and widths of easements and right-of-way for drainage, sanitary sewers and public utilities, the arrangement and orientation of lots and locations of buildings, together with refuse collection and maintenance easements in condominium developments.

**USABLE LOT AREA.** That portion of a lot usable for or adaptable to the normal uses made of residential property, excluding any areas which may be covered by water, excessively steep or included in certain types of easements.

**UTILITY.** Installations or facilities, underground or overhead, furnished for the use of the public, electricity, gas, steam, communications, water, television, cable, sewage disposal, water or sewer treatment, effluent treatment or disposal, owned or operated by any person, firm, corporation, municipal department or board, duly authorized by state or municipal regulations. **UTILITIES** as used herein may also refer to such persons, firms, corporations, departments or boards as applicable herein. Installations or facilities includes, but is not limited to, treatment facilities, transportation pipelines, distribution centers and storage facilities.

(Prior Code, § 15-1-2) (Am. Ord. 94-493, passed 4-12-1994; Am. Ord. 06-1024, passed 9-11-2006)

## ARTICLE 15-2: PLATTING PROCEDURES AND REQUIREMENTS

### Section

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### § 15-2-1 OUTLINE OF PROCEDURES.

The preparation, submittal, review and approval of all subdivision plats located inside the limits of



the city shall proceed through the following progressive stages:

- (A) Stage I - Pre-application conference;
- (B) Stage II - Preliminary Plat;
- (C) Stage III - Final Plat.

(Prior Code, § 15-2-1)

## **§ 15-2-2 STAGE I - PRE-APPLICATION CONFERENCE.**

(A) *Actions by the subdivider.* The subdivider shall meet informally with the Department to present a general outline of his or her proposal, including, but not limited to:

- (1) Sketch plans and ideas regarding land use, street and lot arrangements, tentative lot sizes;
- (2) Tentative proposals regarding water supply, sewage disposal, surface drainage and street improvements.

(B) *Actions by the Department.* The Department shall discuss the proposal with the subdivider and advise him or her of procedural steps, design and improvement standards and general plat requirements. Then, depending upon the scope of the proposed development, the Department shall proceed with the following investigations:

- (1) Check existing zoning of the tract;
- (2) Determine the adequacy of existing or proposed schools, parks and other public spaces;
- (3) Inspect the site or otherwise determine its relationship to major streets, utility systems and adjacent land uses and to determine any unusual problems such as topography, utilities, flooding and the like;
- (4) Determine the need for preparation and review of a Development Master Plan prior to subsequent consideration of a Preliminary Plat and advise the subdivider if a Development Master Plan is required and to what extent it shall be prepared by the developer and by the Department.

(C) *Filing fee.* Fees to help offset costs of reviewing development plan reports for water, sewer, drainage, retention, transportation facilities, open space, landscaping and other development plans shall be paid by the subdivider, at the time of filing such plan, in such amount as established by resolution adopted from time to time by the Mayor and Council.

(D) *Development Master Plan.* The Department shall use the following guidelines in establishing the need for a Development Master Plan: whether the tract is sufficiently large to comprise an entire neighborhood; and whether the tract initially proposed for platting is only a portion of a larger land area, the development of which is complicated by unusual topographic, utility, land use, land ownership or other conditions. The entire land area need not in this case be under the subdivider's control.

(1) *Preparation.* The DMP shall be prepared to scale and accuracy, commensurate with its purpose, and shall include:

- (a) General street pattern with particular attention to collector streets and future circulation throughout the neighborhood;
- (b) General location and size of school sites, parks or other public areas;
- (c) Location of shopping centers, multi-family residential or other proposed land uses;
- (d) Methods proposed for sewage disposal, water supply and storm drainage;
- (e) Location of buildings and circulation for condominium developments on all land owned by the subdivider.

(2) *Approval.* Upon acceptance of general design approach by the Department, the DMP may be submitted to the Board and Council for their consideration. If general approval is given, notice to that effect shall be recorded in the minutes of both bodies and a copy of said minutes transmitted to the subdivider and his or her engineer. If development is to take place in several parts, the DMP shall be submitted as supporting data for each part and shall be kept up-to-date by the subdivider and the Department as modifications take place.

(Prior Code, § 15-2-2) (Am. Ord. 89-829, passed 9-12-1989; Am. Ord. 94-493, passed 4-12-1994)

### **§ 15-2-3 STAGE II - PRELIMINARY PLAT.**

The Preliminary Plat stage of land and airspace subdivision includes detailed subdivision planning, submittal, review and approval of the Preliminary Plat. To avoid delay in processing his or her application, the subdivider should carefully provide the Department with all information essential to determine the character and general acceptability of the proposed development.

(A) *Zoning.* The subdivision shall be designed to meet the specific requirements for the zoning district within which it is located. However, in the event that amendment of zoning is deemed necessary, the rezoning shall be initiated by the property owner or his or her authorized agent. The Department shall not proceed with processing of the Preliminary Plat until the necessary amendment or adjustment has been obtained. Any furtherance of pre-development activity engaged in, by or in behalf of the developer while an application for zoning amendment or variance is pending shall in no instance be construed as having been undertaken in reliance of a favorable determination of such application notwithstanding the nature or a Department recommendation of the matter. In any event, any such zoning amendment or adjustment required in relation to the Preliminary Plat shall have been adopted prior to a Preliminary Plat approval.

(B) *Sanitary sewage and water supply.* As a prerequisite of Preliminary Plat review by the Department, the subdivider shall have informed the Arizona Department of Health Services and the Public Works Department of his or her tentative plans and learned the general requirements for sewage disposal and water supply and fire protection as applied to his or her location.

(C) *Preliminary Plat submission.*

(1) Ten copies of the Preliminary Plat and an 8½-inch by 11-inch transparency and other required supporting data prepared in accordance with requirements set forth in this article shall be filed with the Department at least 14 days prior to the Board meeting at which the subdivider desires to be heard. Copies of the Preliminary Plat shall be reproduced in the format of blue line or black line prints

on a white background. Scheduling of the case for Board hearing shall be dependent upon adequacy of data presented and completion of processing.

(2) The submittal shall be checked by the Department for completeness and assigned a case number; if incomplete as to those requirements set forth in this article, the submittal shall be rejected and the subdivider notified within five days of the date the map was received.

(3) Fees to help offset costs of examining and processing Preliminary Plats, field inspection and the land management system related thereto shall be paid by the subdivider at the time of filing such documents with the city in such amount as established by resolution adopted from time to time by the Mayor and Council.

(D) *Preliminary Plat review.*

(1) On receipt of the Preliminary Plat, the Department shall perform its review for compliance to public objectives, giving special attention to design principles and standards as set forth in this chapter; streets and thoroughfares as related to the city streets and highway plans and to neighborhood circulation; utility methods and systems; existing and proposed zoning and land use of the tract and its environs; and land required for schools, parks and other public facilities.

(2) The Department shall distribute copies of the plat to the following reviewing offices:

(a) City Engineer for review;

(b) Director of Public Works for review of the proposed street system, street plans and compliance with city street standards; tentative determination of street and drainage improvement and maintenance requirements; and water and sewage disposal proposals;

(c) Police Chief, Fire Chief and Building Inspector for review of features of proposed development relating to their respective areas of operation;

(d) County Health Department for review of water and sewage disposal proposals;

(e) Superintendent of the appropriate school district for his or her information;

(f) Where the lands abuts a state highway to the Arizona Department of Transportation and the County Highway Department for recommendations regarding right-of-way and intersection design;

(g) United States Postmaster at Goodyear, Arizona;

(h) The developer shall distribute copies to interested utilities for information.

(3) The reviewing offices shall transmit their recommendations to the Department in writing. The Department receives and summarizes the reviewing offices recommendations, prepares a report and presents it to the Board.

(E) *Preliminary Plat approval.* An applicant for Preliminary Plat approval shall comply in all respects with the provisions of this chapter and with the Floodplain Management Code for the city.

(1) If the Department report indicates that the requirements of this chapter have been met, the

Board shall consider the Preliminary Plat at a regular meeting within 30 days of the date of filing.

(2) The Board shall consider the Preliminary Plat and the Department recommendations and, if satisfied that all objectives have been met, the Board shall approve the Preliminary Plat and the Secretary of the Board shall stamp a notation of approval on two copies of the plat, one being returned to the subdivider and one retained in the permanent Board file.

(3) If the plat is generally acceptable, but requires minor revision before proceedings with preparation of the Final Plat, the Board shall find conditional approval and the required revisions noted in the minutes of the meeting and in a report to the subdivider. At the direction of the Board, the plat may be given approval subject to the revisions in accordance with the stated conditions and review by the Department.

(4) If the Board finds that the plat requires major revision, the plat may be continued pending revision or resubmittal for the same tract or any part thereof and shall follow the aforementioned procedure.

(F) *Significance of preliminary approval.* Preliminary approval constitutes authorization for the subdivider to proceed with preparation of the Final Plat and the engineering plans and specifications for public improvements. Preliminary approval is based upon the following items:

(1) The basic conditions under which preliminary approval of the Preliminary Plat is granted will not be changed prior to expiration date;

(2) Approval is valid for a period of 12 months from the date of Board approval. A six-month extension of the Preliminary Plat approval may be granted by the Board upon receipt of a letter from the subdivider prior to expiration date;

(3) Preliminary approval, in itself, does not assure final acceptance of streets for dedication nor continuation of existing zoning requirements for the tract or its environs, nor constitute authorization to record the plat.

(Prior Code, § 15-2-3) (Am. Ord. 94-493, passed 4-12-1994)

#### **§ 15-2-4 INFORMATION REQUIRED FOR PRELIMINARY PLAT SUBMITTAL.**

(A) *Form of presentation.* The information hereinafter required as part of the Preliminary Plat submittal shall be shown graphically or by note on plans, or by letter, and may comprise several sheets showing various elements of required data. All mapped data for the same plat shall be drawn at the same standard engineering scale, said scale having not more than 100 feet to an inch. Whenever practical, scale shall be adjusted to produce an overall drawing measuring 22 inches by 36 inches and not exceeding 32 inches by 42 inches.

(B) *Identification and descriptive data.*

(1) Proposed name of subdivision and its location by section, township and range, reference by dimension and bearing to an acceptable government section or quarter-section corner.

(2) Name, address and phone number of subdivider.

(3) Name, address and phone number of engineer, surveyor, landscape architect or land planner preparing plat.

(4) Scale, north point and date of preparation, including dates of any subsequent revisions.

(5) A location map which shall show the relationship of the proposed subdivision to main traffic arteries and any other facilities which might help to locate the subdivision. This map may be on the Preliminary Plat, but, if this is not practical, then a separate map showing title, scale, north point and date shall be provided.

(C) *Existing conditions data.*

(1) Topography by contours or spot elevations related to USC & GS survey datum or other datum approved by the City Engineer shown on the same map as the proposed subdivision layout. Contour interval shall be such as to adequately reflect the character and drainage of the land.

(2) Location of fences, water wells, streams, canals, irrigation laterals, private ditches, washes, lakes or other water features; direction of flow; location and extent of areas subject to inundation, whether such inundation be frequent, periodic or occasional.

(3) Location of all existing improvements on public right-of-way and on private property, including utility lines and trees.

(4) Name, book and page numbers of any recorded adjacent subdivisions having common boundary with the tract.

(5) By note, the existing zoning classification of the subject tract and adjacent tracts.

(6) By note, the acreage of the subject tract.

(7) Boundaries of the tract to be subdivided shall be fully dimensioned.

(8) Engineers calculations and estimated values for each tributary storm runoff for ten-year and 50-year frequency storms. The values to be indicated along the boundary of the plat for all points of drainage entering the property.

(D) *Proposed conditions data.*

(1) Street layout, including location, width curved radii and proposed names of public streets, alleys and crosswalks; connections to adjoining platted tract.

(2) Typical lot dimensions (scaled); dimensions of all corner lots and lots of curvilinear sections of streets; each lot numbered individually; total number of lots or dwelling units.

(3) Designation of all land to be dedicated or reserved for public use with use indicated.

(4) If plat includes land for which multi-family, commercial or industrial use is proposed, such areas shall be clearly designated, together with existing zoning classifications and status of zoning change, if any.

(5) Proposed development units.

(6) Proposed storm water disposal system, preliminary calculations and layout of proposed drainage system. The direction of proposed street drainage to be indicated by arrows on the plat; and, if required by the City Engineer, a proposal to provide for the retention of storm water generated on the property by a 100-year frequency storm. All stormwater management practices shall be designed to allow for the maximum removal of pollutants and reduction in flow velocities. All stormwater management facilities shall have an enforceable operation and maintenance agreement to ensure the system functions as designed. This agreement will include any and all maintenance easements required to access and inspect the stormwater management facilities, and to perform routine maintenance as necessary to ensure proper functioning of the stormwater management facility. In addition, a covenant specifying the party or parties responsible for the proper maintenance of all stormwater management facilities shall be secured prior to approval of final subdivision plan and issuance of any permits for land disturbance activities. The use of non-structural stormwater management practices is encouraged in order to minimize the reliance on structural practices.

(7) Compliance with:

(a) Rules as may be established by a County Flood Control District relating to the construction or prevention of construction of streets in land established as being subject to periodic inundation;

(b) Rules as may be established by the Arizona Department of Transportation relating to provisions for safety of entrance upon and departure from abutting state primary highways;

(c) Rules as may be established by the State Department of Health Services or a County Health Department relating to the provision of domestic water supply and sanitary sewerage disposal.

(d) Rules and/or guidance as may be established by County Flood Control District relating to erosion and sediment control at AZPDES-regulated construction sites (construction sites with one acre or more disturbed area or if the activity is part of a larger common plan of development or sale that would disturb one acre or more).

(E) *Proposed utility methods.*

(1) *Sewage disposal.* A statement as to the type of facilities proposed shall appear on the Preliminary Plat.

(2) *Water supply.* A statement as to the water supply for the development shall appear on Preliminary Plat.

(Prior Code, § 15-2-4) (Am. Ord. 06-1025, passed 9-25-2006)

## **§ 15-2-5 STAGE III - FINAL PLAT.**

This stage includes the final design of the subdivision, engineering of public improvements and submittal of the plat and plans by the subdivider for review and for action by the Department, Board and Council.

(A) *Zoning.* Zoning of the tract shall permit the proposed use, and any zoning amendment

necessary shall have been adopted by the Council prior to filing of the Final Plat.

(B) *Easements.* It shall be the responsibility of the subdivider to provide on the Final Plat, prior to plat recordation, such easements in such location and width as required for utility and drainage purposes.

(1) The following notation shall be placed upon all Final Plats which provide utility easements: no structure of any kind shall be constructed or placed within or over the utility easements, except: utilities; wood, wire or removable section type fencing; asphalt paving or grass. It shall be further understood that the City of Goodyear shall not be required to replace any obstructions, paving or planting that must be removed during the course of maintenance, construction or reconstruction.

(2) The following notation shall be placed on all Final Plats which provide drainage easements; no structure of any kind shall be constructed or any vegetation be planted nor be allowed to grow within, on or over the drainage easement, which would obstruct or divert the flow of storm water. The city may, if it so desires, construct or maintain drainage facilities on or under the land of the easement.

(C) *Final Plat preparation.* The Final Plat shall be presented in accordance with requirements set forth in this article and shall substantially conform to the approved Preliminary Plat.

(D) *Final Plat submission.* The subdivider or an authorized representative shall file with the Department one Final Plat mylar or linen for recordation, one mylar reproducible for Department records, eight paper copies of the Final Plat, a complete Final Plat application, one 8½-inch by 11-inch or 11-inch by 17-inch reduced transparent positive of the Final Plat, one copy of the final draft of the deed restriction; and the Final Plat and land management system mapping and to help offset the costs of city's review of such documents and pay fees set from time to time by resolution of the Mayor and Council.

(E) *Final Plat review.*

(1) The Department, upon receipt of the Final Plat submittal, shall immediately record receipt and date of filing and check it for completeness. If complete, the Department shall review the plat for substantial conformity to the approved Preliminary Plat and refer copies of the submittal to the following reviewing offices who shall make known their recommendations in writing addressed to the Council.

(a) Director of Public Works and City Engineer for approval of flood control, proposed street system, examination of survey, computations of the plat and for approval of sewer and water proposals.

(b) Building inspection and parks and recreation, when applicable.

(c) County Health Department for approval of sewage disposal and water supply plans.

(d) State Highway Department or County Highway Department for approval where the plat abuts a state or county highway.

(2) The Department shall assemble the recommendations of the various reviewing officers, prepare a concise summary of recommendations and submit the summary, together with the reviewer's recommendations to the Council. In the event that the Department finds that the Final Plat does not conform to the Preliminary Plat, as approved by the Board, then the Final Plat shall be submitted to the

Board for review and recommendations prior to submittal to the Council.

(F) *Final Plat approval.* An applicant for Final Plat approval shall comply in all respects with the provisions of this chapter and with the Floodplain Management Code for the city.

(1) Upon receipt of a request for Council action from the City Manager, the Clerk shall place the plat on the agenda of a regular Council meeting, whereupon the Council shall approve or deny the plat.

(2) If the Council finds approval of the plat, the Clerk shall transcribe a certificate of approval upon the plat, first making sure that the other certifications required by this article have been duly signed.

(3) When the certificate of approval by the Council has been transcribed on the plat, the Department shall retain the record copy until the City Engineer certifies that the subdivision has been staked and the engineering plans have been approved.

(4) The Department shall cause the Final Plat to be recorded in the office of the County Recorder of Maricopa County.

(Prior Code, § 15-2-5) (Am. Ord. 94-493, passed 4-12-1994)

## **§ 15-2-6 INFORMATION REQUIRED FOR FINAL PLAT SUBMITTAL.**

(A) *Method and medium of presentation.* Size prerequisites for recording maps and plats that exceed a size of eight and one-half by 14 inches shall be subject to the following restrictions:

(1) A map or plat of a subdivision:

(a) Shall be drawn in India ink on a sheet or sheets of linen or mylar measuring 24 inches by 36, inches with a left margin of two inches;

(b) The map or plat shall be drawn to an accurate scale not to exceed 200 feet to the inch;

(2) All other maps or plats:

(a) Shall be drawn in India ink on a sheet or sheets of linen or mylar measuring 18 inches by 26 inches with a left margin of two inches;

(b) The map or plat shall be drawn to a scale not to exceed 300 feet to the inch;

(3) Copies of the record plat shall be reproduced in the form of blue-line or black-line prints on a white background.

(B) *Identification data required.* The following identification data shall be required as a part of the Final Plat submittal:

(1) A title which includes the name of the subdivision and its location by number of section, township, range and county;



(2) Name, address and registration number of seal of the registered civil engineer or registered land surveyor preparing the plat;

(3) Scale, north arrow and date of plat preparation.

(C) *Survey data required.* The following survey data shall be required as a part of the Final Plat submittal:

(1) The corners of the plat shall be located on the monument lines of abutting streets; boundaries of the tract to be subdivided fully balanced and closed, showing all bearings and distances determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals thereof;

(2) Any excepted parcels within or surrounded by the plat boundaries shall be noted as not a part of this subdivision and show all bearings and distances of the excepted parcel as determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals thereof;

(3) Location and description of cardinal points to which all dimensions, angles, bearings and similar data on the plat shall be referenced. Each of two separate corners of the subdivision traverse shall be tied by course and distance to separate section corners or quarter-section corners;

(4) Location of all physical encroachments upon the boundaries of the tract.

(D) *Descriptive data required.* The following descriptive data shall be required as a part of the Final Plat submittal:

(1) Name, right-of-way lines, courses, length and width of all public streets, alleys and crosswalks; radii, points of tangency and central angles of all curvilinear streets and alleys; radii of all rounded street line intersections;

(2) All drainageways shall be shown on the plat. The rights-of-way of all major drainageways, as designated by the City Engineer, shall be dedicated to the public;

(3) All existing private easements within, on or over the plat shall be indicated, dimensioned and noted as to their use;

(4) All residential lots shall be numbered by consecutive numbers throughout the plat. Tracts and parcels shall be so designated, lettered or named and clearly dimensioned. Parcels which are not a part of the subdivision shall be so designated;

(5) Locations, dimensions, bearings, radii, arcs and central angles of all sites to be dedicated to the public with the use clearly indicated;

(6) Location of all adjoining subdivisions with date, name, book and page number of recordation noted, or if unrecorded or undivided, so marked;

(7) Any proposed private deed restrictions to be imposed upon the plat or any part or parts thereof pertaining to the intended use of the land and to be recognized by the city shall be noted on the plat.

(E) *Dedication and acknowledgment.*

(1) *Dedication.* There shall be required as part of the Final Plat submittal a statement of dedication of all streets, alleys, crosswalks, drainage ways, pedestrian ways and other easements for public use by the person holding legal title of record, or by persons holding legal titles as vendees under land contract. If lands dedicated are mortgaged, the mortgagee shall also sign the plat. Dedication shall include a written location by section, cityship and range of the tract. If the plat contains private access ways, the public utilities shall be reserved the right to install and maintain utilities in the access ways, including refuse collection. Stormwater management facilities shall have an enforceable operation and maintenance agreement to ensure the system functions as designed. This agreement will include any and all maintenance easements required to access and inspect the stormwater management facilities, and to perform routine maintenance as necessary to ensure proper functioning of the stormwater management facility. In addition, a binding covenant specifying the parties responsible for the proper maintenance of all stormwater management facilities shall be secured prior to approval of final subdivision plat and issuance of any permits for land disturbance activities. The use of non-structural stormwater practices is encouraged in order to minimize the reliance on structural practices.

(2) *Acknowledgment of dedication.* Execution of dedication shall be acknowledged and certified by a notary public.

(F) *Required certification.* The following certifications shall be required as a part of the Final Plat submittal:

(1) Certification by the registered civil engineer or registered land surveyor making sure that the plat is correct and accurate and that the monuments described in it have either been set or located as described. All maps shall contain the seal of a registered civil engineer or land surveyor;

(2) Certificate of plat approval by the City Engineer;

(3) Certificate of plat approval by the City Council;

(4) Certificate of recordation by the County Recorder.

(Prior Code, § 15-2-6) (Am. Ord. 06-1025, passed 9-25-2006)

## **ARTICLE 15-3: SUBDIVISION DESIGN PRINCIPLES AND STANDARDS**

### **Section**

[15-3-1](#) In general

[15-3-2](#) Street location and arrangement

[15-3-3](#) Street design

[15-3-4](#) Block design

[15-3-5](#) Lot planning

[15-3-6](#) Condominium developments - airspace planning

[15-3-7](#) Easement planning

[15-3-8](#) Street naming

[15-3-9](#) Hillside Development Area

## **§ 15-3-1 IN GENERAL.**

(A) Every subdivision shall conform to the requirements and objectives of the General Plan, or any parts thereof, as adopted by the Board and the Council, to the Zoning Code, to the design guidelines of the city and to other ordinances and regulations of the city and to the Arizona Revised Statutes. All public works infrastructure construction or repair shall be accomplished in accordance with the Uniform Standard Specifications for Public Works Construction and the Uniform Standard Details for Public Works Construction as sponsored and distributed by the Maricopa Association of Governments, as amended thereby from time to time, provided when any portions thereof disagree with the requirements as described in the city code, the city code shall govern.

(B) Land areas within a subdivision shall be reserved for parks, recreational facilities, school sites and other public facilities, including fire stations, open space lands or open areas and flood control facilities, subject to the following conditions:

(1) The requirements may only be made upon Preliminary Plats filed at least 30 days after the adoption of a general or specific plan affecting the land area to be reserved;

(2) The required reservations are in accordance with definite principles and standards adopted by the City Council;

(3) The land area reserved shall be of such a size and shape as to permit the remainder of the land area of the subdivision within which the reservation is located to develop in an orderly and efficient manner;

(4) The land area reserved shall be in such multiples of streets and parcels as to permit an efficient division of the reserved area in the event that it is not acquired within the prescribed period;

(5) The public agency for whose benefit an area has been reserved shall have a period of one year after recording the final subdivision plat to enter into an agreement to acquire such reserved land area. The purchase price shall be the fair market value thereof at the time of the filing of the preliminary subdivision plat plus the taxes against such reserved area from the date of the reservation and any other costs incurred by the subdivider in the maintenance of such reserved area, including interest cost incurred on any loan covering such reserved area;

(6) If the public agency for whose benefit an area has been reserved does not exercise the reservation agreement set forth in this article within such one-year period or such extended period as may be mutually agreed upon by such public agency and the subdivider, the reservation of such area shall terminate.

(C) Land which is subject to periodic flooding, land which cannot be properly drained or other land which, in the opinion of the Board, is unsuitable for subdivision use, shall not be subdivided, except

that the Board may approve subdivision of such land upon receipt of evidence from the County Health Department or City Engineer that the construction of specific improvements can be expected to render the land suitable; thereafter, construction upon such land shall be prohibited until the specified improvements have been planned and construction guaranteed.

(Prior Code, § 15-3-1) (Am. Ord. 90-319, passed 9-25-1990)

## **§ 15-3-2 STREET LOCATION AND ARRANGEMENT.**

(A) Whenever a tract to be subdivided embraces any part of a street designated in an adopted city streets and highways plan, such street shall be platted in conformance therewith.

(B) Street layout shall provide for the continuation of such streets as the Department may designate.

(C) Whenever a tract to be subdivided is located within an area for which a neighborhood plan has been approved by the Board, the street arrangement shall conform substantially to said plan.

(D) Certain proposed streets, as designated by the Department, shall be extended to the tract boundary to provide future connection with adjoining unplatted lands.

(E) Local streets shall be so arranged as to discourage their use by through traffic.

(F) Where a proposed subdivision abuts or contains an existing or proposed major street, the Department may require marginal access roads or reverse frontage with non-access easements along the major street or such other treatment as may be justified for protection of residential properties from the nuisance and hazard of high volume traffic and to preserve the traffic function of the major street in other types of developments.

(G) Where a subdivision abuts or contains the right-of-way of a railroad, drainageway, a limited access highway or an irrigation canal or abuts a commercial or industrial land use, the Department may require the location of a street approximately parallel to and on each side of such right-of-way at a distance suitable for appropriate use of the intervening land. Such distance shall be determined with due regard for approach grades, drainage, bridges or future grade separations.

(H) Streets shall be so arranged in relation to existing topography as to produce desirable lots of maximum utility and streets of reasonable gradient and to facilitate adequate drainage.

(I) Alleys shall be required in all residential, commercial and industrial subdivisions, except that the Board may waive this requirement because of topography, lot sizes or other circumstances.

(J) Half streets shall be discouraged except where necessary to provide right-of-way required by the city streets and highways plan, to complete a street pattern already begun or to insure reasonable development of a number of adjoining parcels. Where there exists a platted half street abutting the tract to be subdivided, the remaining half shall usually be platted within the tract.

(Prior Code, § 15-3-2)

## **§ 15-3-3 STREET DESIGN.**

(A) *Minimum required right-of-way widths.*

- (1) Major streets and highways, as required by current approved city, county or state standards.
- (2) Collector streets as indicated by current approved city standards.
- (3) Local streets as indicated by current approved city standards; 60 feet full street right-of-way may be required adjacent to park and school sites.
  - (a) Cul-de-sac streets shall terminate in a circular right-of-way 45 feet in radius with a three-foot utility easement around the turnaround. The Department may approve an equally convenient form of turning and backing areas where extreme conditions justify.
  - (b) Dead end streets will not be approved except in locations designated by the Department as necessary to future extension in development of adjacent lands. In any case, a dead end street extending 200 feet or more shall provide by easement a temporary turning circle with a 40-foot radius or other acceptable design to accomplish adequate access.
- (4) Marginal access or frontage streets as required by city standards.
- (5) Alleys 16 feet wide, if single-family residential on both sides; 20 feet wide, if abutting, multiple-family, commercial or industrial districts. Alley intersection and sharp changes in alignment shall be avoided, but where necessary, corners shall be cut off 15 feet on each side to permit safe vehicular movement. Dead end alleys shall be prohibited. All half alleys shall have a minimum width of 12 feet.
- (6) Private access ways as required by city standards.

(B) *Grades.*

- (1) *Maximum.* Major streets as determined by the City Engineer.
  - (a) Collector streets: 7%.
  - (b) Local residential streets: 15%; all over 12% have a maximum length of 600 feet.
- (2) *Minimum.* Concrete or asphalt streets with concrete gutters:
  - (a) Desirable - 0.40%; Minimum - 0.15%;
  - (b) Concrete or asphalt streets without gutters: Minimum - 0.35%.
- (3) *Exceptions.* Where rigid adherence to these standards causes unreasonable or unwarranted hardship in design or cost without commensurate public benefit, exceptions may be made by the Board upon review and recommendation of the City Engineer.

(C) *Vertical curves.*

- (1) Major streets as determined by the City Engineer.

(2) Collector and local streets: minimum length, 100 feet, except in cases approved by the City Engineer.

(D) *Horizontal alignment.*

(1) Major streets as determined by the City Engineer.

(2) When tangent centerlines deflect from each other more than ten degrees and less than 90 degrees, they shall be connected by a curve with a minimum centerline radius of 500 feet for collector streets or 100 feet for local streets.

(3) Between reverse curves there shall be a tangent section of centerline not less than 100 feet long for a local street, as required by the City Engineer for collector and major streets.

(4) Streets intersecting a major street shall do so at a 90-degree angle; intersections of local streets shall not vary from 90 degrees by more than 15 degrees.

(5) Street jogs with centerline offsets of less than 125 feet shall be prohibited except when approved by the City Engineer. Under special circumstances where local streets intersect major streets, the City Engineer may require minimum centerline offsets of 400 feet.

(6) Local streets intersecting a collector street or major street shall have a tangent section of centerline at least 150 feet in length measured from the right-of-way line of the major street; except that no such tangent is required when the local street curve has a centerline radius greater than 400 feet with the center located on the major street right-of-way line. Where topographic conditions make necessary other treatment to secure the best overall design, these standards may be relaxed by the Board upon the recommendation of the City Engineer.

(7) Street intersections with more than four legs and Y-type intersections where legs meet at acute angles shall be avoided; provision of T-type intersections for local streets shall be encouraged.

(8) At local street intersections, property line corners shall be rounded by circular arc, said arc having a minimum tangent length and/or radius of 12 feet. A 16-foot by 16-foot triangle shall be provided at each corner of the intersection of two major streets; a 14-foot by 11-foot triangle at each corner of the intersection of two collector streets or as approved by the City Engineer.

(9) Collector streets shall intersect the major streets at the midsection corners or as otherwise approved.

(10) Local streets which are primary access to a subdivision shall intersect major streets at the quarter mile corners or as otherwise approved.

(11) Marginal access road openings to major streets, at a local street intersection, shall have a minimum 30-foot wide separation island between the major street traffic lanes and marginal access road, which shall be provided within the major street right-of-way.

(12) Marginal access roads shall not intersect a major street nor a collector street.

(Prior Code, § 15-3-3)

### **§ 15-3-4 BLOCK DESIGN.**

(A) Maximum length of blocks, measured along the centerline of the street, and between intersecting street centerlines, 1500 feet; except that in development with lot areas averaging one-half acre or more or where extreme topographic conditions warrant, this maximum may be exceeded by 500 feet. Blocks shall be as long as reasonably possible under the circumstances within the above maximum in order to achieve depth and possible street economy and to reduce the expense and safety hazard arising from excessive street intersections.

(B) Maximum length of cul-de-sac streets, 325 feet, measured from the intersection of right-of-way lines to the extreme depth of the turning circle along the street centerline. Exceptions may be made where topography justifies but shall not be made merely because the tract has restrictive boundary dimensions, wherein provision should be made for extension of street pattern to the adjoining unplatted parcel and a temporary turn around installed.

(C) Pedestrian, bicycle and equestrian ways: a minimum right-of-way width of ten feet may be required where essential for circulation or access to schools, playgrounds, shopping centers, transportation and other community facilities. Pedestrian ways may be used for utility purposes.

(Prior Code, § 15-3-4)

### **§ 15-3-5 LOT PLANNING.**

(A) Lot width, depth and area shall comply with the minimum requirements of the zoning ordinance and shall be appropriate for the location and character of development proposed and for the type and extent of street and utility improvements being installed. Where steep topography, unusual soil conditions or drainage problems exist or prevail, the Board may require special lot width, depth and area requirements which exceed the minimum requirements of the particular zoning district.

(B) Where steep topography, unusual soil conditions, drainage problems, abrupt changes in land use or heavy traffic on adjacent streets prevail, the Board may make special lot width, depth and area requirements which exceed the minimum requirements of the particular zoning district.

(C) The depth-to-width ratio of single-family residential lots shall not be greater than three to one.

(D) Minimum front building lines shall conform to the minimum requirements of the zoning ordinance.

(E) Side lot lines shall be substantially at right angles or radial to street lines, except where other treatment may be justified in the opinion of the Department.

(F) Every residential lot shall abut upon a public street or private access way furnishing satisfactory access thereto.

(G) Residential lots extending through the block and having frontage on two parallel streets which are both local streets or one of which is a local street and the other is a collector street shall not be permitted, except when there are commercial or industrial zoning districts on the opposite side of the street and except as permitted in this chapter. Backing of lots to major streets and freeways shall be prohibited except where justified by the Board.

(Prior Code, § 15-3-5)

### **§ 15-3-6 CONDOMINIUM DEVELOPMENTS - AIRSPACE PLANNING.**

(A) The processing of subdivision plats for condominium developments shall follow the procedures set forth in this chapter for the processing of land subdivision plats. All sections of this chapter shall be applicable to condominium subdivisions. A preliminary site plan shall be considered a Preliminary Plat and a final site plan, a Final Plat.

(B) The final condominium subdivision plat shall be certified by a registered architect or engineer that the plat accurately depicts the development as constructed and shall be recorded prior to the sale of the first unit.

(1) *Conversions of conventional apartment developments.* Preliminary Plats shall show, in addition to all information required by the Department checklist for site plans, the following:

- (a) Firewall construction, if required by the Fire Code;
- (b) Additional parking, if required;
- (c) Additional open space, if required;
- (d) Locations of individual utility lines and meters, if needed.

(2) Final Plats shall show:

- (a) All buildings;
- (b) Private drives and parking areas;
- (c) Required easements;
- (d) Designation of commonly owned property;
- (e) Necessary dedication statement;
- (f) Statement concerning the formation of a homeowner's association for the maintenance of the commonly owned property;
- (g) Necessary certifications and approvals.

(3) New developments:

- (a) Preliminary Plats shall show all of the information required by the Department site plan checklist;
- (b) Final Plats shall show all of the information required in subsection (2) above;
- (c) Building permits shall be issued in accordance with Final Plats approved by the



Department, prior to recordation of the plat;

(d) Final Plats to be approved by the City Council and recorded after construction has been completed and final inspection made.

(Prior Code, § 15-3-6)

### **§ 15-3-7 EASEMENT PLANNING.**

(A) Easements for utilities shall be provided as follows:

(1) Where alleys are provided: four feet for aerial overhang on each side of alley shall be provided by dedication but need not be delineated on the plat, if utility lines are overhead;

(2) Along side lot lines: six feet on each side of lot lines for distribution facilities and one foot on each side of lot lines for street lighting as may be designated;

(3) Guy and anchor easements: one foot wide on each side of lot line and approximately 35 feet in length measured from the rear lot line as designated, if utility lines are overhead.

(B) For lots facing on curvilinear streets, utility easements or alleys may consist of a series of straight lines with points of deflection not less than 120 feet apart. Points of deflection should always occur at the junction of side and rear lot lines on the side of the exterior angle.

(C) Where a stream or important surface drainage course abuts or crosses the tract, dedication of a public drainage easement of a width sufficient to permit widening, deepening, relocating, protecting or maintaining said watercourse shall be required.

(D) Land within a public street or drain easement or land within a utility easement for major power transmission (tower) lines or pipelines shall not be considered a part of the minimum required lot area except where lots exceed one-half acre in area. This shall not be construed as applicable to land involved in utility easements for distribution or service purposes.

(E) Except where alleys are provided, lots arranged to back up to major streets, railroads, canals or commercial or industrial districts, as required in this chapter, shall have a minimum depth of 110 feet, the rear ten feet of which shall be recorded as a vehicular non-access and landscape easement.

(Prior Code, § 15-3-7)

### **§ 15-3-8 STREET NAMING.**

(A) The Department shall propose the street names at the Preliminary Plat stage, and the names shall be approved by the Board and Council.

(B) Street assignment will follow the Maricopa Association of Governments (MAG) Address and Street Assignment Policy. The present major streets (Van Buren, McDowell, Roosevelt, Litchfield, Yuma, Dysart) will remain as named.

(C) The City of Goodyear Local Street Name and Address System shall be used in the following area:

(1) All land within the present city limits east of Litchfield Road, south of Van Buren and north of MC 85, except non-residentially zoned or developed property fronting on or addressed as fronting on Litchfield Road, La Mar Boulevard and Van Buren Street, and all land within the present city limits east of Central Avenue, south of Interstate 10, north of Van Buren and west of Dysart Road, except non-residentially zoned or developed property fronting on or addressed as fronting on Van Buren Street and Dysart Road.

(2) For the City of Goodyear Local Street Name and Address System, the north and south dividing line (zero block) shall be Western Avenue. The east and west dividing line (zero block) shall be Litchfield Road.

(D) All street names within those areas described in subsection (C) of this section will continue with the present city name. All street addresses outside the area described in subsection (C) of this section will carry the county address and numbering system with La Canada Boulevard being the dividing line between the north and south (zero block).

(E) New street signs will indicate the hundred block and direction for easy identification.

(F) Actions calling for street name change can only be approved by Board and Council action.

(Prior Code, § 15-3-8) (Am. Ord. 95-538, passed 10-10-1995; Am. Ord. 97-579, passed 7-8-1997; Am. Ord. 05-962, passed 9-26-2005)

### **§ 15-3-9 HILLSIDE DEVELOPMENT AREA.**

Because of the unique and peculiar problems inherent in the development of hillside areas, special standards and conditions for hillside development areas must be considered. The provisions of this article shall be applicable to the division of all land in a hillside development area whether or not the parcels are 36 acres or more in area.

(A) *Subdivisions.*

(1) *Special preliminary plat requirements.*

(a) A topographic map of existing terrain with contour intervals adequate to show the nature and variations in the terrain; two-foot intervals for grades less than 15%; five-foot intervals for grades greater than 15%; elevations of critical spots, rock outcrops and special characteristics.

(b) Where necessary to determine that lots will be usable, the Department may recommend and the Board may require plan for each lot, in conformance with the grading and drainage regulations required by the city, showing the natural topography of the total parcel to be platted, the location and size of all structures, the finished grade at all improvement locations and the depth and extent of all cuts and fills.

(c) A report of a proper soil investigation by a licensed geologist or engineer to determine any geological hazard and soil bearing quality.

(d) The location of existing and proposed conservation easements.

(2) *Special final plat requirements.*

(a) A final grading plan which conforms to the requirements of the grading and drainage regulations in this chapter and required by the city.

(b) A detailed topographic map at larger scale and closer contour interval or suitable cross sections or profiles of area where streets, driveways, buildings, utility or grading construction is proposed.

(c) Road profiles and cross sections at all significant changes in the cross slopes; the cross section to show proposed and natural grade at the centerline of the road, edge of roadway, the right-of-way line and the proposed building setback lines.

(d) Locations of all building sites and proposed driveways.

(3) *Special design standards.*

(a) Street and private access way grades shall conform as closely as possible to natural topography, but shall not exceed 15%.

(b) Street grades exceeding 12% shall have a maximum length of 600 feet.

(c) Upon approval of the City Engineer, horizontal alignments may provide curves with less than 100-feet centerline radius.

(d) Upon the recommendation of the City Engineer and approval of the Board, alternate methods of turning and backing areas may be substituted for turnarounds.

(e) Upon approval of the City Engineer, required paving width of the traffic lanes may be modified when off-street parking bays are provided, developed and paved in the public right-of-way.

(f) The centerline of the paving may be offset from the centerline of the right-of-way to provide parking bays in the right-of-way.

(g) Where bridle trails are approved, sidewalks may be replaced by the trails on the upgrade side of the right-of-way.

(h) Vertical curbs shall be required on the downhill side of streets having grades of 6% or greater; concrete U or V gutters may be installed in lieu of conventional rolled or vertical curbs elsewhere.

(i) On a corner lot, no grading shall be allowed which results in the ground level being raised so as to obstruct the vision more than a height of three feet above the grade of either street within an area formed by the lot lines on the street sides of such lot and a line joining points on such lot lines located a distance of 33 feet from the point of their intersection.

(j) Transverse street cross sections with the gutter on the uphill side may be used where approved by the City Engineer.

(k) All cut and fill slopes shall be within the roadway right-of-way or roadway easement; slope maintenance easements for roadway cuts and fills may be required by the City Engineer.

(l) All excavated material shall be removed from lots and roadways or contained behind retaining walls or otherwise placed so that the slopes of any fill material will not be visible from any public street.

(m) Panhandle, double frontage and other unorthodox lots, including lots which have a width to depth ratio greater than one to three, shall be permitted if it can be adequately demonstrated that their design will eliminate excessive cuts and will not adversely affect any other lot so arranged.

(n) Private access ways may be permitted to provide access to lots in lieu of the required street frontage. Each private access way serving one lot shall be a minimum of 20 feet wide with a minimum paved surface of 12 feet in width, and each private access way serving more than one lot shall have a minimum paved surface of 24 feet in width or as may be otherwise required by city standards and specifications. Where needed, additional easements for drainage or utilities shall be provided.

(o) Maximum driveway grades shall be 20%.

(p) Building sites shall be free of geological hazards.

(B) *Grading standards for lots, parcels and P.A.D. sites.*

(1) Not more than 5% of a lot, parcel or P.A.D. site shall be left with a cross slope steeper than the natural grade of the ground or steeper than 20%, whichever is greater.

(2) All driveway and garage cuts shall be made at the time of street grading and before street improvements are installed.

(3) The total area of all cuts and fills other than the enclosed floor area of the dwelling shall not exceed 10% of the lot, parcel or P.A.D. site area.

(4) Cut or fill slopes shall be entirely contained within the downhill lot.

(5) All excavated material shall be removed from the premises, contained behind retaining walls or otherwise placed so that the slopes of any fill material will not be visible from any public street.

(C) *Utilities.* All utilities shall be installed underground in the streets or private access ways. Water and public sewer service shall be provided to each lot.

(Prior Code, § 15-3-9)

## **ARTICLE 15-4: STREET AND UTILITY IMPROVEMENT REQUIREMENTS**

### Section

[15-4-1](#) Purpose

[15-4-2](#) Engineering plans

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[15-4-5](#) Submittal, review and approval of engineering plans

[15-4-6](#) Schedule of improvement requirements

[15-4-7](#) Fees

### **§ 15-4-1 PURPOSE.**

(A) It is the purpose of this article to establish in outline the minimum acceptable standards for improvement of streets and utilities, to define the responsibility of the subdivider in the planning, constructing and financing of improvements and to establish procedures for review and approval of engineering plans.

(B) All improvements in streets, alleys or easements which are required as a condition to plat approval shall be the responsibility of the subdivider.

(Prior Code, § 15-4-1)

### **§ 15-4-2 ENGINEERING PLANS.**

(A) It shall be the responsibility of the subdivider to have prepared by a registered civil engineer, registered in the State of Arizona, a complete set of engineering plans for construction of water and public sanitary sewer facilities and all other required improvements. Such plans shall be based on the approved Preliminary Plat and be prepared in conjunction with the Final Plat.

(B) Final construction plans for all improvements shall be approved and signed by the City Engineer prior to recordation of the Final Plat.

(Prior Code, § 15-4-2)

### **§ 15-4-3 CONSTRUCTION AND INSPECTION.**

(A) All relocation, tiling and reconstruction of irrigation facilities shall be done to standards of the owning utility and City Engineer.

(B) All improvements in the public right-of-way shall be constructed under the inspection and approval of the city department having jurisdiction. All construction in public rights-of-way and private access ways shall require a city permit. Construction shall not be commenced until a permit has been issued for such construction, and if work has been discontinued for any reason, it shall not be recontinued until after notifying the Department having jurisdiction.

(C) The locations of all utilities to be installed in public rights-of-way or in private access ways shall be approved by the City Engineer.

(D) All underground utilities to be installed in streets, private access ways and alleys shall be constructed under city permit prior to the surfacing of such street, private access way or alley. Service stubs to platted lots within the subdivision for underground utilities shall be placed to such length as not

to necessitate disturbance of street improvements when service connections are made: underground utilities shall be extended to the boundaries of the plat to provide service connections to abutting unsubdivided land.

(Prior Code, § 15-4-3)

#### **§ 15-4-4 REQUIRED IMPROVEMENTS - SUBDIVISIONS.**

(A) *Streets, private access ways and alleys.* All streets, private access ways and alleys within the boundary lines of the subdivision shall be improved to cross-sections, grades and standards approved by the City Engineer. Alleys used for primary vehicular access shall be paved. Where there are existing streets adjacent to the subdivision, subdivision streets shall be improved to the intercepting paving line of such existing streets or to a matching line determined by the City Engineer. Transition paving shall be installed as required by the City Engineer. When a subdivision includes a major street which is not paved or where there is no paved street between the subdivision and a paved major or collector street, an interim two-lane street at least 24 feet wide shall be constructed to a standard approved by the City Engineer on the major street, collector or local street right-of-way to the nearest paved major or collector street; when a marginal access road is required, strip paving shall be installed for the major street traffic lanes. Dead end streets extending 200 feet or more and dead end marginal access roads shall be provided a graded and surfaced temporary 40-foot radius turning circle; alleys shall be graded and surfaced to paved streets.

(B) *Curbs.* Where streets are to be paved, a concrete curb, curb and gutter or valley gutter as designated by the City Engineer shall be installed in accordance with approved city standards. When density of development is low or where for other reasons, such as to provide or maintain a rural atmosphere, the installation of curb and gutter is not considered necessary, the Council may waive this requirement for one or both sides of local streets. Vertical curbs shall be installed on the major street side of a marginal access road, along collector streets and along school or park property.

(C) *Sidewalks.* Concrete sidewalks shall normally be required on both sides of streets and shall be constructed to a width, line and grade approved by the City Engineer in accordance with approved city standards. Where density of development is low, or where for other reasons the installation of sidewalks is not considered necessary, the Council may waive the requirement for one or both sides of local streets.

(D) *Crosswalks.* Concrete walks through blocks shall be constructed to a width, line and grade approved by the City Engineer.

(E) *Street name signs.* Signs shall be placed at all street intersections and be in place by the time the street pavement is ready for use. Specifications for design, construction, location and installation shall be by the Department.

(F) *Storm drainage.* Proper and adequate provision shall be made for disposal of storm water. This shall apply equally to grading of private properties, private access ways and to public streets. Existing major watercourses shall be maintained and dedicated as drainage ways. The type, extent, location and capacity of drainage facilities for a subdivision shall be as required by the City Engineer from the survey and storm runoff calculations made by the subdivider's engineer. All retention basins, channels and like facilities shall be constructed in accordance with the requirements of the City Engineer and in accordance with post-construction sediment and erosion control measure requirements set forth in the city's AZPDES permit. Water generated on the property by a 100-year frequency storm shall be retained

on the site or disposed of as required by the City Engineer. Stormwater management facilities and practices (structural and non-structural control measures, respectively) shall be designed to allow for the maximum removal of pollutants and reduction in flow velocities. Stormwater management facilities shall have an enforceable operation and maintenance agreement to ensure the system functions as designed. This agreement will include any and all maintenance easements required to access and inspect the stormwater management facilities, and to perform routine maintenance as necessary to ensure proper functioning of the stormwater management facility. In addition, a binding covenant specifying the parties responsible for the proper maintenance of all stormwater management facilities shall be secured prior to approval of final subdivision plat and issuance of any permits for land disturbance activities. The use of non- structural stormwater practices is encouraged in order to minimize the reliance on structural practices.

(G) *Sanitary sewage disposal.* Sewage disposal facilities shall be installed to serve each lot and be subject to the following standards and approvals:

(1) Public sanitary sewer lines shall be installed in all new subdivisions in accordance with plans, profiles and specifications approved by the County Health Department and the city departments having jurisdiction of water sewers;

(2) In areas where public sanitary sewers are not reasonably accessible, the owning agency, with the approval of the County Health Department, may agree to operate a temporary disposal unit or pumping station. The subdivider shall construct these temporary facilities along with the sewer lines in the subdivision. They shall be designed for connection with a future public sewer system.

(H) *Water supply.* Each lot shall be supplied with safe, pure and potable water in sufficient volume and pressure for domestic use and fire protection, including fire hydrants, and other types of installations required by the Fire Code in water lines which are designed to the standards of the Water and Sewers Department and the Fire Department.

(I) *Irrigation facilities.* All irrigation facilities requiring 72-inch diameter pipe or less which are to remain within the boundaries of the tract or in an abutting one half street or alley right-of-way shall be tiled in accordance with standards of the owning agency and relocated as may be directed by the City Engineer and the owning agency. Where street improvements require relocation of control gates or other structures, such relocation and reconstruction shall conform to the requirements of the City Engineer and the owning agency. In rural developments this requirement may be waived by the City Engineer.

(J) *Monuments.* Permanent monuments shall be installed in accordance with current city standards at all corners, angle points and point of curves, at all street intersections and at all corners, angle points and points of curve of all conservation easements. After all improvements have been installed, a registered land surveyor or civil engineer shall check the location of monuments and certify their accuracy.

(K) *Lot corners.* Iron pipes shall be set at all corners, angle points and points of curve for each lot within the subdivision prior to the recording of the plat.

(L) *Utilities.*

(1) New electric, communication and T.V. lines, including, but not limited to, electric, communication and T.V. lines shall be installed underground. When overhead utility lines exist within the property being platted, said existing overhead utility lines and the new installations within the platted

area shall be placed underground; when overhead utility lines exist on the periphery of the property being platted, the existing overhead utility lines and any additions or replacements needed to increase capacity or improve service reliability may remain overhead; provided, however, that any service drops into the platted area from said peripheral overhead lines shall be underground. When overhead utility lines exist on the periphery of the property of five acres or less being platted, then the utility lines within the platted area may be overhead. When, as a result of the subdivision development, it is necessary to relocate, renew or expand existing facilities within the platted area, the subdivider shall make the necessary arrangements with the serving utility for these installations to be placed underground. The subdivider shall arrange with the serving utility for, and be responsible for, the cost of underground service lines to approved street light locations.

(2) The subdivider shall be responsible for the requirements of this subsection and shall make the necessary arrangements with each of the serving utility companies involved for the installation of the underground facilities. Letters from each of the serving utility companies indicating that said arrangements have been made shall be submitted to the City Engineer at the time the final subdivision plat is submitted for approval. When, due to subsurface soil conditions or other special conditions, it is determined by the City Engineer that it is impractical to construct facilities underground, installations shall be overhead. Those electric lines of greater than 3,000 KVA (Kilovolt amperes) capacity as rated by the American Standard Association are excluded from the requirements of this subsection.

(M) *Street lights.* In subdivisions where all other utilities are installed underground, underground electrical service required for street lighting shall be installed to those street light locations approved by the City Engineer.

(N) *Walls on landscape and vehicular non-access easements.* Continuous undulating or offset decorative masonry walls shall be installed on landscape and vehicular non-access easements along major streets when lots back up to a major street in accordance with the design requirements and approval of the City Engineer.

(O) *Landscaping.* All landscaping, along with appropriate watering systems, within public rights-of-way or landscape easements, shall be in accordance with plans approved by the City Engineer.

(P) *Freeway development standards.* The purpose of this section is to provide the appropriate and necessary off-site and on-site improvements to protect and enhance the livability of properties near the Papago Freeway (Interstate 10) and the Loop 303 Freeway within the city. These Freeway corridors will have a significant impact on the surrounding land uses. Noise and traffic generated by these Freeways will impact residential land uses and other noise sensitive uses that may be constructed adjacent to the Freeway corridors. It is the intent of the city to ensure that future freeway noise impacts are mitigated by establishing noise attenuation requirements applicable to future development of residential subdivisions.

(1) All residential development located within 500 feet of the Papago and Loop 303 Freeway alignments shall comply with the provisions of this section.

(2) A sound attenuation plan will be required of all residential subdivisions within 500 feet of the future Papago and Loop 303 Freeway right-of-way boundaries prior to approval of a preliminary plat. Any subdivision completely or partially located within 500 feet of the exterior edge of the planned right-of-way boundary on each side of the Papago and Loop 303 Freeway alignments shall comply with the provisions of this section. Abatement measures are generally required only with respect to structures designed for human occupancy within the specified distance from the freeway right-of-way boundaries.



(a) The sound attenuation plan shall include a noise analysis of the subdivision that details the projected freeway noise levels based upon the most current projected traffic volumes available from the Maricopa Association of Governments. The time period for the projected traffic volumes and traffic characteristics shall be a minimum of 15 years from the date of the submittal of the sound attenuation plan, unless otherwise approved by the City Engineer, or his or her designee. In the event that the design and development of the projected freeway is not at a stage for which a noise analysis is reasonably feasible, then no such noise analysis shall be required, but the sound attenuation plan shall obligate the property owner to construct or otherwise provide for a sound barrier wall of a minimum of eight feet in height or an acceptable equivalent and install landscape treatments, subject to the approval of the Zoning Administrator or his or her designee.

(b) The sound attenuation plan shall include the proposed attenuation measures needed to reasonably predict that the projected exterior noise levels on the subdivision at ground level shall not exceed the (Leq) 64 dBA noise level. For the purposes of this section, the noise measurement method used by the Arizona Department of Transportation (ADOT) and the Federal Highway Administration (FHWA) will be used. In addition to any proposed attenuation measures, a sound attenuation plan may also identify who, in place of the property owner, may be responsible for the specific measures, the timing for installing the specific attenuation measures and describe or provide for proposed alternative means of compliance as to any specific attenuation measures as may be approved by the City Engineer or his or her designee.

(c) The sound attenuation plan shall include a certification by a qualified transportation noise analyst as to the projected exterior noise levels on the site and that the sound attenuation measures will meet the (Leq) 64 dBA noise level.

(d) The sound attenuation plan shall also include measures needed to reasonably predict that the projected interior noise levels for each dwelling unit shall achieve a maximum interior noise level of (Leq) 45 decibels. In order to comply with this maximum noise level, a minimum of R18 exterior wall assembly, a minimum of R30 roof/ceiling assembly, dual-glazed windows and solid wood and foam-filled fiberglass or metal doors to the exterior shall be required of new dwelling units. As an alternative, a certification by an architect or engineer to achieve a maximum interior noise level of (Leq) 45 decibels at the time of final construction may be submitted. The sound attenuation standards of this section shall not apply to accessory buildings used on a property with the primary building.

(3) Sound attenuation improvements shall include all reasonable and feasible measures necessary to meet the required standard, including the construction of freeway walls and earthen berms. If there are special characteristics within a freeway corridor, such as the topography of the area, drainage, maintenance requirements or safety considerations, as determined by the City Engineer or his or her designee, then the construction of a noise barrier of greater than 20 feet in height should be avoided. Reasonable and feasible measures may include, without limitation, achieving a noise reduction of at least 5 dBA, barrier height, aesthetic issues relating to a proposed barrier or such other measures as consistent with the ADOT (Arizona Department of Transportation) Noise Abatement Policy and approved by the City Engineer or his or her designee.

(4) The sound attenuation measures shall utilize designs that minimize the visual impact on the subdivision with appropriate use of colors and materials. Any landscape plan proposed for any subdivision subject to the freeway development standards whereby a wall or berm is required shall include, where appropriate, visual mitigation measures, such as colors, materials, styles, designs or additional landscape treatments to minimize the visual impacts of walls or berms.

(5) The City Engineer or his or her designee shall review the sound attenuation plan and its

proposed improvements for compliance with the intent of this section.

(6) The approval of the sound attenuation plan shall occur prior to any preliminary plat approval.

(7) Notwithstanding the approval of a particular sound attenuation plan, where changed conditions or circumstances have occurred, any property owner (or its successor in interest) for whom a sound attenuation plan has been approved may apply to the City Engineer or his or her designee to amend the plan. Changed conditions or circumstances may include, without limitation, changes in the location, grade or design of a proposed freeway, changes in the proposed land use adjacent to the freeway or any changes significantly affecting the noise analysis of the subject property.

(8) Subject to the approval of the City Engineer or his or her designee, a residential development shall have the option of complying with an approved sound attenuation plan (or a portion thereof) by placing on deposit with the city for deposit in an interest bearing account (with interest to accrue to and be made a part of such deposit) a sum equivalent to the cost of the applicable noise mitigation measures specified in the plan, in lieu of actual construction of any particular such measures for which a deposit is made. This deposit shall be made prior to recordation of the final plat, and except to the extent expended for the noise mitigation measures specified, shall be reimbursed to the party making the deposit, upon the earlier to occur of:

(a) A determination by the Arizona Department of Transportation (ADOT), the Maricopa County Department of Transportation (MCDOT) or other applicable governmental authority not to construct or extend the Papago (Interstate 10) or Loop 303 Freeway, including any redesignation reducing the status from freeway to some other roadway, in the proximity of the subject property; or

(b) A change in the location or alignment of the Papago or Loop 303 Freeway (or right-of-way boundaries) as a result of which the subject property ceases to be within the freeway proximity for which this section requires a sound attenuation plan; or

(c) That date which is 20 years after the date of deposit (the Reimbursement Date), unless on or prior to the Reimbursement Date, ADOT, MCDOT or other applicable governmental authority confirms in writing the continued plan for which this section requires a sound attenuation plan, in which event the Reimbursement Date shall be extended up to an additional ten years from the date of such confirmation. In no event may the Reimbursement Date be extended beyond the date which is 30 years after the date of deposit.

(9) If the City Engineer or his or her designee determines that the sound attenuation plan (including a proposed amended plan) does not meet the intent of this section, that decision may be appealed to the City Council within 45 days of the decision.

(Prior Code, § 15-4-4) (Am. Ord. 2002-790, passed 7-22-2002; Am. Ord. 06-1025, passed 9-25-2006)

#### **§ 15-4-5 SUBMITTAL, REVIEW AND APPROVAL OF ENGINEERING PLANS.**

Prior to the recording of the plat, a certificate of approval of engineering plans signed by the Department having jurisdiction, along with a certification that the agreement between the city and subdivider has been executed and the letter of agreement with serving utilities has been submitted, and the necessary performance and completion bond, cash or agreement has been posted with the City Engineer shall be filed with the Clerk. If the engineering plans have not been approved within 90 days,

the Council may require that the final plat be re-submitted.

(Prior Code, § 15-4-5)

## **§ 15-4-6 SCHEDULE OF IMPROVEMENT REQUIREMENTS.**

Specific standards of improvements to be installed in a subdivision shall depend on the location of the subdivision and type of the development proposed therein, as outlined in the following schedule of improvement requirements.

### **(A) *Urban developments.***

(1) *Description.* Urban developments include single-family residential developments with lot widths less than 120 feet, lot areas less than 18,000 square feet and a density of about four dwelling units per acre; two-family and multi-family residential development regardless of site area or density; and commercial and industrial developments.

(2) *Requirements.* For urban developments, requirements include:

- (a) Public sewers in accordance with this chapter;
- (b) Public water supply systems in accordance with this chapter, including mains and fire hydrants to city standards;
- (c) Storm drainage to an acceptable outlet in accordance with this chapter. Development improvements must be constructed, operated and maintained in such a manner as to ensure that sediment- laden water does not enter the drainage system or violate applicable water quality standards;
- (d) All streets with approved pavement and concrete curbs, gutters and sidewalks on both sides;
- (e) Alleys, if provided, completely surfaced with approved material to an approved width;
- (f) Utilities in accordance with this chapter;
- (g) Underground street light circuits in accordance with this chapter; and
- (h) Private access ways shall have pavement with concrete curbs, gutters and sidewalks in accordance with city standards and specifications.

### **(B) *Suburban developments.***

(1) *Description.* Suburban developments include single-family residential developments with minimum lot widths of more than 120 feet but less than 150 feet and minimum lot areas of 18,000 square feet but less than 35,000 square feet.

(2) *Requirements.* Requirements include:

- (a) Public sewers in accordance with this chapter;

(b) Public water supply systems in accordance with this chapter, including mains and fire hydrants to city standards;

(c) Storm drainage to an acceptable outlet in accordance with this chapter. Development improvements must be constructed, operated and maintained in such a manner as to ensure that sediment- laden water does not enter the drainage system or violate applicable water quality standards;

(d) All streets with approved pavement, concrete curbs and gutters; sidewalks required on both sides of major or collector streets;

(e) Alleys, if provided, completely paved with approved material to an approved width;

(f) Utilities in accordance with this chapter;

(g) Underground street light circuits in accordance with this chapter;

(h) Private access ways shall have pavement with concrete curbs, gutters and sidewalks in accordance with city standards and specifications.

(C) *Estate developments.*

(1) *Description.* Estate developments include single-family residential developments with minimum lot areas of 35,000 square feet.

(2) *Requirements.* Requirements include:

(a) Public sewers in accordance with this chapter;

(b) Public water supply systems in accordance with this chapter, including mains and fire hydrants to city standards;

(c) Storm drainage to an acceptable outlet in accordance with this chapter. Development improvements must be constructed, operated and maintained in such a manner as to ensure that sediment- laden water does not enter the drainage system or violate applicable water quality standards;

(d) All streets with approved pavement, concrete curbs and gutters; sidewalks required on both sides of major or collector streets;

(e) Utilities in accordance with this chapter;

(f) Underground street light circuits in accordance with this chapter;

(g) Private access ways shall have approved pavement with concrete curbs, gutters and sidewalks in accordance with city standards and specifications.

(D) *Rural developments.*

(1) *Description.* Rural developments include single-family residential developments with minimum lot widths of 150 feet, minimum lot areas of 35,000 square feet and being developed as a community of small farms.

(2) *Requirements.* Requirements include:

- (a) Public sewers in accordance with this chapter;
- (b) Public water supply systems in accordance with this chapter, including mains and fire hydrants to city standards;
- (c) Storm drainage handled in a manner acceptable to the City Engineer to an acceptable outlet in accordance with this chapter. Development improvements must be constructed, operated and maintained in such a manner as to ensure that sediment-laden water does not enter the drainage system or violate applicable water quality standards;
- (d) All streets with approved pavement; concrete curbs and gutters on both sides of major and collector streets; concrete, or another type of hard surface sidewalks, on one or both sides of major and collector streets;
- (e) Utilities in accordance with this chapter;
- (f) Underground street light circuits in accordance with this chapter;
- (g) Private access ways in accordance with requirements for public streets.

(E) *Agreement by subdivider.* Upon the approval by the Council of the Final Plat, the subdivider shall execute an agreement covering the following:

- (1) The subdivision improvements in a recorded development unit may be constructed in practical increments of lots, as specified by the subdivider, subject to provisions for satisfactory drainage, traffic movements and other services as determined by the City Engineer;
- (2) The improvements, except those utility facilities defined in § 15-4-4, shall be constructed in accordance with plans approved by the Water and Sewer Department for water and public sanitary sewer facilities and by the City Engineer for all other improvements;
- (3) The improvements, except those utility facilities defined in § 15-4-4, shall be completed within an agreed specified time period for each increment. An extension of time may be granted under conditions specified therein;
- (4) The subdivider shall give adequate assurance of the construction of each increment in accordance with this chapter;
- (5) Progress payments may be made to the subdivider on his or her order from any cash deposit made. Such progress payments shall be made in accordance with standards established by the City Engineer;
- (6) Any work abandoned or not completed by the subdivider may be completed by the city which shall recover the construction costs from the subdivider;
- (7) Construction of all improvements within streets and easements, except those utility facilities defined in § 15-4-4, shall be subject to inspection by the City Engineer;

(8) No lots shall be released from the approved increment of lots until either the agreement or an assurance of construction has been posted and accepted by the City Engineer.

(F) *Assurance of construction.*

(1) To ensure construction of the required improvements as set forth in this article, except those utility facilities defined in § 15-4-4, the subdivider shall deposit with the City Engineer an amount in cash or a surety bond equal to the amount of the cost of the work of each recorded increment (as determined by the City Engineer) guaranteeing that the work will be completed in accordance with city details and specifications. When no marginal access road is being constructed and the improvement of a major or collector street by a governmental agency is imminent, the subdivider shall deposit the current estimated cost of improving the abutting half street in an account to be disbursed to the city at the time the contract is awarded for the city project to improve the full width of the street.

(2) The surety bond shall be executed by the subdivider, as principal, with a corporation duly authorized to transact surety business in the State of Arizona, as surety. The bond shall be in favor of the city, shall be continuous in form and shall require that the total aggregate liability of the surety for all claims shall be limited to the face amount of the bond, regardless of the number of years the bond is in force. The bond or cash shall be released upon satisfactory performance of the work and its acceptance by the City Engineer. The bond may be cancelled or the cash withdrawn by the subdivider, provided that other security satisfactory to the city has been deposited which will cover the obligations of the subdivider which remain to be performed.

(G) *Assurance of construction through loan commitment.* In lieu of providing assurance of construction in the manner provided in subsection (F) of this section, the subdivider may provide assurance of construction of required improvements, except those utility facilities defined in § 15-4-4, by delivering to the City Engineer, prior to the recording of said plat, an appropriate agreement between an approved lending institution and the subdivider, stating that funds sufficient to cover the entire cost of installing the required improvements, including engineering and inspection costs and the cost of replacement or repairs of any existing streets or improvements damaged by the subdivider in the course of development of the subdivision, in an amount approved by the City Engineer, have been deposited with such approved lending institution to the subdivider. The agreement shall provide that the funds in the approved amount are specifically allocated and will be used by the subdivider, or on his or her behalf, only for the purpose of installing the subdivision improvements. The city shall be the beneficiary of such agreement or the subdivider's rights thereunder shall be assigned to the city and the City Engineer shall approve each disbursement from such funds. The agreement may also contain terms, conditions and provisions normally included by such lending institutions in loan commitments for construction funds or as may be necessary to comply with statutes and regulations applicable to such lending institutions.

(Prior Code, § 15-4-6) (Am. Ord. 06-1025, passed 9-25-2006)

## **§ 15-4-7 FEES.**

(A) The fee schedule for offsite engineering plans review shall be:

- (1) \$75 per sheet for first and second review;
- (2) Additional reviews, \$75 per sheet.

(B) Grading and drainage plan review shall be based upon acreage, not per sheet cost. First and second grading and drainage reviews:

- (1) 0 to 40 acres: \$75 total;
- (2) 41 to 160 acres: \$150 total;
- (3) 161 plus acres: \$300 total;
- (4) Additional review, same as above.

(C) The fee schedules for construction inspection permits shall be:

ITEM	UNIT CHARGE
(1) WATER	
Waterlines	\$.25 L. F.
Service lines	\$.25 L. F.
Fire hydrant	\$15 each
T.S. & V.	\$50 each
Pavement replacement	\$.20 S. Y.
Shutoff	N/C
(2) SEWER	
Sewer lines	\$.25 L. F.
Service lines	\$.25 L. F.
Manhole	\$25 each
Cleanout	\$15 each
Taps	\$25 each
Pavement replacement	\$.20 S. Y.
(3) PAVING	
A. C. paving	\$.20 S. Y.
Curb & gutter	\$.10 L. F.

Sidewalk	\$.10 L. F.
Valley gutter	\$.10 L. F.
Driveway/alley aprons	\$15 each
*Grading	3% of
*Concrete	3% of

(4) STORMDRAIN & IRRIGATION

Stormdrain	\$.55 L. F.
Manholes (S. D.)	\$25 each
Catch basins	\$20 each
Irrigation pipe	\$.25 L. F.
Pavement replacement	\$.20 L. F.
*Concrete structures	3% of

(5) UTILITIES

Utility trenching/backfill	\$.12 L. F.
Pavement replacement	\$.20 S. Y.

(6) MISCELLANEOUS

*Box culverts	3% of
*Grading/drainage	3% of
*Other	3% of

(7) Work performed without a permit shall be charged at twice the rate of the original permit fee.

(D) The fees herein provided for may be changed from time to time by the Council by ordinance or resolution duly adopted thereby.

\* Estimated valuation of project.

(Prior Code, § 15-4-7) (Am. Ord. 90-319, passed 9-25-1990)

## ARTICLE 15-5: MODIFICATIONS



## Section

### [15-5-1](#) Modifications

#### **§ 15-5-1 MODIFICATIONS.**

(A) Where, in the opinion of the Council, there exists extraordinary conditions of topography, land ownership or adjacent development or other circumstances not provided for in this chapter, the Council may modify these regulations in such manner and to such extent as it may deem appropriate to the public interest.

(B) In the case of a plan and program for a complete community or a complete neighborhood, the Council may modify these regulations in such manner as appears necessary and desirable to provide adequate space and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and populated and may require stipulations to assure conformance with the achievement of the plan.

(C) In modifying the standards or requirements of these provisions as outlined in this section, the Council may make such additional requirements as appear necessary, in its judgement, to secure substantially the objectives of the standards or requirements so modified.

(Prior Code, Art. 15-5)

## **ARTICLE 15-6: PROHIBITION AGAINST CIRCUMVENTION**

## Section

### [15-6-1](#) Prohibition against circumvention of chapter

#### **§ 15-6-1 PROHIBITION AGAINST CIRCUMVENTION OF CHAPTER.**

(A) It is unlawful for any person to offer to sell or lease, to contract to sell or lease or to sell or lease any subdivision or part thereof until a final plat thereof in full compliance with provisions of this chapter and of any subdivision regulations which have been duly recorded in the office of the County Recorder, is recorded in the office of the Recorder, except that this shall not apply to any parcel or parcels of a subdivision offered for sale or lease, contracted for sale or lease or sold or leased in compliance with any law or subdivision regulation regulating the subdivision plat design and improvement of subdivisions in effect at the time the subdivision was established. The County Recorder shall not record a plat unless the plat has been approved by the Council.

(B) No person, firm or corporation shall divide any lot, piece or parcel of land for the purpose of financing, or sell or lease, or offer for sale or lease which:

(1) Is within a subdivision as defined in § 15-1-2 of this chapter without first having recorded a plat thereof in accordance with the provisions of this chapter; or

(2) Is not within a subdivision as defined in § 15-1-2 of this chapter without first having obtained approval by the Planning Director as provided in this chapter.

(C) No building permit shall be issued for construction on any lot, piece or parcel of land which is not a part of a recorded subdivision plat or has not been approved by the Planning Director in accordance with the provisions of this chapter

(Prior Code, Art. 15-6) Penalty, see § 15-7-1

## **ARTICLE 15-7: VIOLATIONS AND PENALTIES**

### Section

[15-7-1](#) Violations and penalties

### **§ 15-7-1 VIOLATIONS AND PENALTIES.**

Any person, firm, corporation or legal entity who violates any provision of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, may be punished by a fine of not more than \$2500 or by imprisonment in the city jail for not more than 90 days or by both such fine and imprisonment. Each day that a violation is permitted to exist may constitute a separate offense. The imposition of any sentence shall not exempt the offender from compliance with the requirements of these regulations.

(Prior Code, Art. 15-7) (Am. Ord. 90-319, passed 9-25-1990)

## **ARTICLE 15-8: SPECIAL AGREEMENTS**

### Section

[15-8-1](#) Special agreements

### **§ 15-8-1 SPECIAL AGREEMENTS.**

No statement contained in this chapter shall be construed as preventing any special agreement or arrangement between the city and any developer whereby a developer may enter into negotiations with the city for special rates or requirements as are in the best interests of the city.

(Prior Code, Art. 15-8)

## **ARTICLE 15-9: MINOR LAND DIVISIONS**

### Section

[15-9-1](#) Applicability

[15-9-2](#) Process

[15-9-3](#) Pre-application meeting

[15-9-4](#) Minor land division design standards and requirements

- [15-9-5](#) Minimum required minor land division improvements
- [15-9-6](#) Minor land division applications
- [15-9-7](#) Minor land division application and review
- [15-9-8](#) Application approval
- [15-9-9](#) Denial
- [15-9-10](#) Appeal
- [15-9-11](#) Engineering plans for minor land divisions
- [15-9-12](#) Assurance for the construction of minor land division improvements

### **§ 15-9-1 APPLICABILITY.**

For the purpose of this article, a minor land division shall constitute the following acts, and shall be subject to the provisions of this article:

(A) Land splits, as defined in this chapter.

(B) The division of improved or unimproved land or lands for the purpose of financing, sale or lease, whether immediate or future, into two or three lots, tracts, or parcels of land when a new street is not involved.

(C) The further division of improved or unimproved land or lands for the purpose of financing, sale, or lease, whether immediate or future, when the boundaries of such property have been fixed by a recorded subdivision plat, and when a new street is not involved.

(D) Lot line adjustments and lot consolidations in a platted subdivision.

(Ord. 06-1024, passed 9-11-2006)

### **§ 15-9-2 PROCESS.**

The preparation, submittal, review, and approval of all minor land divisions located within the city shall proceed through the following progressive stages, except when otherwise provided herein:

(A) Pre-application conference with the members of the Community Development and Engineering Departments.

(B) Submittal of a minor land division application and map by the subdivider and review by the Community Development Department and the City Engineer, or his or her designee.

(C) Approval, conditional approval or denial of the application by the Community Development Director or his or her designee.

- (D) Recordation of the approved minor land division by the city.

(Ord. 06-1024, passed 9-11-2006)

### **§ 15-9-3 PRE-APPLICATION MEETING.**

The pre-application meeting stage of minor land division review is an investigatory period preceding the preparation and submittal of the minor land division application by the subdivider. The subdivider shall initially present the proposal to the members of the Community Development and Engineering Departments, who shall advise the subdivider of specific public objectives, standards, and regulations related to the property and the procedure for minor land division review.

(Ord. 06-1024, passed 9-11-2006)

### **§ 15-9-4 MINOR LAND DIVISION DESIGN STANDARDS AND REQUIREMENTS.**

(A) Except where expressly modified or permitted by the Community Development Director or City Engineer, all minor land divisions shall be in general conformity with the lot, street, block, alley, and easement design standards and requirements specified for subdivisions. All lots created by a minor land division shall conform to existing zoning district standards and the City General Plan.

(B) All minor land divisions shall be designed to comply with the requirements of the specific zoning district within which the divided property is located.

(C) No lot or parcel shall be divided in such a way that any division of such lot or parcel shall contain more dwelling units than are permitted by the zoning regulations of the district within which the lot is situated.

(D) Any newly created lots shall have adequate access to public roads or highways or private roads with public access easements as determined by the Community Development Director, or his or her designee; and the City Engineer, or his or her designee.

(E) Any newly created lots shall have adequate access to all utilities necessary and appropriate for the development proposed on the property to be divided as determined by the Community Development Director, or his or her designee; and the City Engineer, or his or her designee.

(F) The land split shall not adversely affect public health, safety, convenience or welfare.

(Ord. 06-1024, passed 9-11-2006)

### **§ 15-9-5 MINIMUM REQUIRED MINOR LAND DIVISION IMPROVEMENTS.**

(A) Except where otherwise provided in this section, it shall be the responsibility of the subdivider to improve or agree to improve all streets, pedestrian ways, alleys, and easements in the minor land division and adjacent thereto that are required to serve the minor land division, and to construct and install all such other improvements as specified for subdivisions. No permanent improvement work shall be commenced until improvement plans have been submitted by the subdivider and approved by the City Engineer, or his or her designee. Improvements shall be satisfactorily installed in accordance with the City Engineering Design Standards, and all other applicable city ordinances and requirements.

(B) Minor land division improvements may be waived for minor land divisions in the following situations:

- (1) For lot line adjustments where no new lot is created and utility services are existing;
- (2) When the division is to allow construction of a single-family dwelling and the Community Development Director or City Engineer determines that less than 50% of the half-street right-of-way for the side of the block on which the property is located would be improved as a result of such condition;
- (3) In any case when the Community Development Director or City Engineer determines that the improvement of any or any or all of the abutting street or the installation of any or all of the other normally required improvements would be impractical because of considerations such as, but not limited to: the type and extent of existing street improvements; inability to establish a proper street grade or alignment; physical barriers such as excessive grade of terrain or washes, ditches, canals, buildings or other structures; or other special circumstances where, in the opinion of the Community Development Director or City Engineer, the immediate installation of the improvements is not deemed necessary to protect the public health, safety and general welfare, and that the waiver of the improvement requirements would not impair the purpose and intent of this chapter; or
- (4) The Community Development Director or City Engineer may require as a condition for the waiver of the required minor land division improvements an in-lieu payment for the cost of improvements. An acceptable form of assurance may be considered at the discretion of the City Engineer.

(Ord. 06-1024, passed 9-11-2006)

#### **§ 15-9-6 MINOR LAND DIVISION APPLICATIONS.**

The subdivider shall submit an application in the form prescribed by the Community Development Department together with the application fee established by Council resolution and the application information and materials required by the Community Development Director or his or her designee. The subdivider shall also submit a title report showing the ownership history of the property demonstrating that a subdivision is not required.

(Ord. 06-1024, passed 9-11-2006)

#### **§ 15-9-7 MINOR LAND DIVISION APPLICATION AND REVIEW.**

(A) *Information required.* All information required as part of the minor land division submittal shall be shown graphically, or by note on plans, or by letter, or by combination thereof, and may comprise several sheets showing various elements of the required data.

(B) *Submittal requirements.* The applicant shall submit the following materials to the Community Development Department for a minor land division application:

- (1) A completed minor land division application form.
- (2) A non-refundable minor land division application filing fee to compensate the city for the costs of examining and processing the minor land division application and subsequent field inspections, if applicable. The required fee for minor land division applications shall be adopted by resolution of the

City Council.

(3) An ALTA survey, preliminary title report and deed or other instrument showing proper title to the land to be divided.

(4) Digital file of the minor land division map.

(5) All minor land division maps shall contain the following information:

(a) Notation of the map as, "A Minor Land Division Map of (Lot or Parcel of Subdivision/owner's name)."

(b) Location by quarter-section, section, township and range.

(c) Legal description of the property involved.

(d) Name, address, and phone number of subdivider.

(e) Sale, north point, and dates of preparation and revisions.

(f) Existing street dedications, on- and off-site utility easements, and lot lines of all adjacent properties indicated by subdivision name and Maricopa County Recorder's Office Book and Page number; and unsubdivided land must be identified as such.

(g) Locations of all existing underground and overhead utilities on the property.

(h) Name, address, registration number, and seal of the registered engineer or land surveyor preparing the map.

(i) Boundaries of the tract to be divided fully balanced and closed showing all bearings and distances determined by an accurate survey in the field. All dimensions shall be expressed in feet and decimals thereof.

(j) Location and description of cardinal points of primary interest to which all dimensions, angles, bearings, and similar data on the map shall be referenced. One corner of the minor land division map shall be tied by course and distance to a section corner monument approved by the City Engineer, or his or her designee.

(k) All existing and proposed drainage easements and natural drainage features.

(l) All existing irrigation easements on the property to be divided.

(m) Location and dimensions of all lots within the minor land division map. All sides of the proposed lots shall be identified by bearings and distances.

(n) All lots shall be identified by number or letter.

(o) Building setbacks, if applicable.

(p) Any information required as part of the minor land division submittal shall be shown:

1. Geographically;
2. By note on the plans;
3. By letter; or
4. By a combination of the foregoing, and may comprise several sheets, 24 inches by 36 inches in size, showing various elements of the required data.

(q) The following certifications must be included on the minor land division map:

1. Certification by a registered engineer or land surveyor preparing the map that the map is correct and accurate, and that the monuments described in it have been located as described.
2. Certification by the City Engineer or his or her designee that all engineering conditions and requirements of the city have been complied with.

(Ord. 06-1024, passed 9-11-2006)

### **§ 15-9-8 APPLICATION APPROVAL.**

(A) If the Community Development Director or his or her designee finds that the proposed minor land division meets all city requirements and the application conforms to good land planning policies and that all new lots created are suitable for the purpose for which they are divided, the application shall be approved or approved with stipulations. The Community Development Director or his or her designee shall transcribe a certificate of approval upon the map, first making sure that:

- (1) All stipulations of approval have been complied with;
- (2) The required certifications have been duly signed; and
- (3) That any instruments for required street right-of-way and utility easement dedications have been prepared, executed, and duly recorded.

(B) After approval of the minor land division and certification of approval by the Community Development Director or his or her designee, the Community Development office shall then promptly cause the map to be recorded with the Maricopa County Recorder.

(Ord. 06-1024, passed 9-11-2006)

### **§ 15-9-9 DENIAL.**

If the Community Development Director denies the minor land division application, the subdivider will be furnished a letter stating the reasons for the denial. The application may be re-filed if suitable revisions can be made to resolve the conflicts and the stated reasons for denial as noted by the Community Development Director.

(Ord. 06-1024, passed 9-11-2006)

## **§ 15-9-10 APPEAL.**

An applicant aggrieved by the decision of the Community Development Director may file a subdivision application including a statement regarding any proposed modifications or waivers along with justifications of why the proposal should be approved and follow the procedure therein to bring the application before the City Council. A final plat application and associated fee is required for an appeal.

(Ord. 06-1024, passed 9-11-2006)

## **§ 15-9-11 ENGINEERING PLANS FOR MINOR LAND DIVISIONS.**

If improvements are required for minor land divisions pursuant to § 15-9-10 herein, the applicant shall be responsible for the preparation of a complete set of engineering plans, prepared by an Arizona Registered Civil Engineer, satisfactory to the City Engineer for the construction of the required improvements. The plans shall be prepared in conjunction with the minor land division map. The minor land division map shall not be recorded until all engineering plans for the required improvements have been approved by the City Engineer or his or her designee.

(Ord. 06-1024, passed 9-11-2006)

## **§ 15-9-12 ASSURANCE FOR THE CONSTRUCTION OF MINOR LAND DIVISION IMPROVEMENTS.**

If improvements are required for the minor land division pursuant to § 15-9-9 herein, no building permit for any lot created will be issued until such improvements are completed and the work accepted by the City Engineer or his or her designee. Required improvements may be deferred or waived by the Community Development Director if the subdivider provides a performance bond or other assurance of construction, in a form approved by the City Attorney, or if all such improvements have been completed and paid for, as determined by the City Engineer, or his or her designee.

(Ord. 06-1024, passed 9-11-2006)

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